

REMARKS

This paper is responsive to the Office Action dated August 27, 2007. All rejections of the Examiner are respectfully traversed. Reconsideration is respectfully requested.

Support for the present amendments to the claims is found in various parts of the Specification as originally filed. For example, network level communications "across the entire enterprise network" are described from page 6 line 30 to line 11 on page 7, a logical connection across the enterprise network is described in lines 6-12 on page 9, a virtual connection across the enterprise network is described from line 29 on page 10 to line 1 on page 11, and in lines 17-21 on page 12, and an "end to end communication path for the virtual connection" is described in lines 11-14 on page 14. No new matter has been added.

At paragraphs 1 and 2 of the Office Action, the Examiner rejected claims 1-25 for obviousness under 35 U.S.C. 103, based on the combination of published United States patent applications US 2002/133554 of Nykanen et al. ("Nykanen") and US 2002/0114281 of Rosu et al. ("Rosu"). Applicant respectfully traverses these rejections.

Nykanen discloses a system for facilitating Web service component access. A One Logical View to Broker (OLVB) Application Program Interface (API) is established by the Nykanen system for an application in order to reduce the complexity of the application interface and subsequently increase the portability of application. Network Service Broker related parameters (204,304) in Nykanen allow solicitation of a best match Network Service Broker or Web service component. Real-time business relationships between a Service Provisioning Infrastructure (208) and the Network Service Brokers (212, 232, 238) are facilitated in Nykanen by using matchmaking function (416) within lookup function (414).

Rosu discloses evaluating the performance of different types of communication paths in a multi-service network, where different paths include interconnections of different single communication services such as wireless and wireline telephone systems and internet access systems. Data pertaining to at least one common performance parameter is acquired in the Rosu system for each type of communication path, and a performance graph for each type of path is constructed from the data.

Nowhere in the combination of Nykanen and Rosu is there disclosed or suggested any method or system for providing network services in an enterprise network, wherein said enterprise network includes a plurality of forwarding domains, comprising:

obtaining at least one end to end network service parameter from an application program;

communicating said at least one end to end network service parameter to a plurality of network service modules, each of said network service modules associated with a respective one of said forwarding domains; and

establishing, by said network service modules, communication paths within each of said forwarding domains, said communication paths within each of said forwarding domains together providing an end to end communication path for a single virtual connection across all of said forwarding domains, such that said communication paths within said forwarding domains are each required to provide network performance for communications over said virtual connection reflecting said at least one end to end network service parameter within their respective forwarding domains. (emphasis added)

as in the present independent claim 1. Independent claims 13 and 25 include analogous features. In contrast, in Fig. 2 Nykanen shows a Service Provisioning Infrastructure 208 that connects directly and independently to *each individual one* of a number of Network Service Brokers (212, 220 and 238). The Network Service Brokers in turn service separate, unconnected networks (Network A 216, Network B 222 and Network C 240). Similarly, Fig. 3 of Nykanen shows a number of Web Service Components (314, 316, 318 and 320) independently

connected to a Web Service Registry 312. Further in Fig. 3 of Nykanen, Web Service Component 1 318 is shown independently and individually connected through Service Provisioning Infrastructure 308 to an Application 302.

The teachings of Rosu fail to remedy these shortcomings of Nykanen, since Rosu is concerned with separately *measuring performance* of different types of networks. Moreover, Rosu specifically describes measuring network performance *after* connection establishment. See paragraph 10 of Rosu, which states that "at least one of the performance parameters comprises a representation of the number of connections *successfully completed* through a communication path, relative to the number of connections attempted."

Accordingly, neither Nykanen nor Rosu, taken either independently or in combination, disclose or suggest even the desirability of establishing communication paths within each of multiple forwarding domains that together *provide an end to end communication path for a single virtual connection across all the forwarding domains, such that the communication paths within the forwarding domains are each required to provide network performance for communications over the virtual connection reflecting at least one end to end network service parameter within their respective forwarding domains*, as in the present independent claims 1, 13 and 25.

Applicant additionally notes that paragraphs 26 and 27 of Nykanen teach that the location brokers (Network Service Brokers) operate *individually* to hide the complexities of their respective corresponding network infrastructures from the central Service Provisioning Infrastructure. Also, as described in paragraphs 34-36, the NSB parameter list 204 in Nykanen is described as including parameters that help support "choosing the right location broker" (paragraph 36) from among the multiple location brokers. Applicant respectfully urges that the

NSB parameter list 204 is thus not described as including any kind of *end to end network service parameter* related to virtual connection communications on an end to end communication path across multiple forwarding domains, as in the present independent claims.

For these reasons, Applicant respectfully urges that the combination of Nykanen and Rosu does not disclose or suggest all the features of the present independent claims 1, 13 and 15. The combination of Nykanen and Rosu accordingly does not establish a *prima facie* case of obviousness with regard to independent claims 1, 13 and 15 under 35 U.S.C. 103. As to the remaining dependent claims, they each depend from independent claims 1 and 13, and are respectfully believed to be patentable over the combination of Nykanen and Rosu for at least the same reasons.

Reconsideration of all pending claims is respectfully requested.

In view of the arguments set forth herein and the present amendments to the claims, Applicant respectfully requests that the claim rejections be withdrawn. All claims are respectfully believed to be allowable, and the application is considered to be in condition for allowance. Favorable action is respectfully requested.

Applicants are not conceding in this application that the unamended claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of allowable subject matter. Applicants respectfully reserve the right to pursue the unamended claims in one or more continuations and/or divisional patent applications.

Applicant has made a diligent effort to place the application in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Dave Dagg, Applicant's Attorney at 617-630-1131 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

January 28, 2008
Date

/David Dagg/
David A. Dagg, Reg. No. 37,809
Attorney/Agent for Applicant(s)
44 Chapin Road
Newton MA 02459
(617) 630-1131

Docket No. 120-141